

## **REMARKS/ARGUMENTS**

The present Amendment is in further response to the final Office Action mailed May 26, 2009 in the above-identified application.

New claim 27 is added. Therefore, claims 1-2 and 4-27 are the claims currently pending in the present application.

Claim 1 is amended to clarify features recited thereby. These amendments are fully supported by Applicant's disclosure, see, for example Figs. 5a and 5b illustrating that the feeding of the metal melt into the tundish is continued until the quasi-steady-state operation bath level is reached (and thereafter). New claim 27 is fully supported by Applicant's disclosure see, for example, Figs. 5a and 5b illustrating the feeding of the metal melt into the tundish until the quasi-steady-state casting operation is reached.

The Amendment filed on August 11, 2009 was fully responsive to the final Office Action. The present Amendment is made to support the Request for Continued Examination filed herewith and to address the position taken by the Examiner in the Advisory Action mailed August 14, 2009.

### ***Response to Allegation of the Advisory Action***

The Advisory Action takes the position that the Wright reference discloses that the molten metal is fed from the ladle source for less than 90% of the time during casting, citing Wright, column 4, lines 2-13. Based on this, the Advisory Action alleges that for at least the last 10% of the first period of time there would be no inflow into the tundish. Therefore, the Advisory Action takes the position that Wright's teaching of no inflow corresponds to a feeding performed at a reduced inflow rate compared with an inflow rate during a proceeding time period of the first period of time, as claimed in claim 1. Reduced flow is not no flow at all.

First, Wright is silent as to the timing of the no inflow state. In particular, Wright does not disclose or suggest a no inflow state within the last 5% to 30% of the first period of time, as required by claim 1.

Moreover, claim 1 requires that the feeding of the metal melt into the tundish within the last 5% to 30% of the first period of time is continued and is performed at a reduced inflow rate. Therefore, Wright's no inflow state is irrelevant to the state required by claim 1, that is a state in which feeding continues at a reduced inflow rate compared with a prior rate of inflow. The deficiencies of the Melville reference as they relate to claim 1 have been discussed in the

Amendment filed August 11, 2009. Therefore, even taken together in combination, Wright and Melville do not disclose or suggest the recitations of claim 1.

Claims 2 and 4-27 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

Additional Argument for Claim 27

In addition with respect to claim 27 Applicant notes as follows. Claim 27 requires that by the end of the last 5% to 30% of the first period of time an unchanging filling rate of the tundish equal to a rate of the discharging of the metal melt from the tundish is attained.

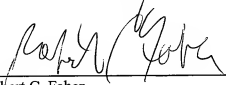
Wright and Melville do not disclose or suggest an unchanging filling rate of the tundish attained by the end of the last 5% to 30% of the first period of time, as required by claim 27. Further, Wright and Melville do not disclose or suggest that this unchanging filling rate is equal to a rate of the discharging of the metal melt from the tundish, as further required by claim 27. Accordingly, claim 27 is patentably distinguishable over the cited art for at least this additional reason.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the application are respectfully requested.

Respectfully submitted,

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